

REMARKS/ARGUMENTS

Prior to the entry of this Amendment, claims 1-18, 22-40, 42-45 and 47-49 were pending in this application. No claims have been amended, no claims have been canceled, and no claims have been added herein. Therefore, claims 1-18, 22-40, 42-45 and 47-49 remain pending in this application. Applicants respectfully request reconsideration of these claims for at least the reasons presented below.

35 U.S.C. § 103 Rejection, Stolfo and Delany

The Office Action has rejected claims 1-18, 22-40, 42-45 and 47-49 under 35 U.S.C. §103(a) as being unpatentable over U. S. Patent Publication Number 2004/0002903 of Stolfo et al. (hereinafter "Stolfo") and U. S. Patent Publication Number 2002/0138572 of Delany et al. (hereinafter "Delany") The applicants respectfully submit that, for at least the following reasons, the rejection is improper and should be withdrawn.

As an initial matter, the applicants respectfully point out that Delany is not available for use as prior art under 35 U.S.C. §103(a). As this section states:

"A person shall be entitled to a patent unless -
(a) the invention was known or used **by others** in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent." (35 U.S.C. §103(a))

Furthermore:

"Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, **owned by the same person or subject to an obligation of assignment to the same person.**" (35 U.S.C. §103 (c)(1))

It should be noted that Delany is in fact owned by the same entity as the current application. Specifically, both Delany and the current application were subject to an obligation of assignment and were in fact assigned to the same entity as evidenced by the assignment of Delany recorded on 3/1/02 in and the assignment of the current application recorded on 2/28/02. Furthermore, it should be noted that Delany claims priority to exactly the same provisional applications as the pending application. Thus, it is no coincidence that Delany has exactly the same priority date as the pending application.

Therefore, it is clear that Delany cannot be used to show that "the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent." For at least these reasons, the rejection is improper and should be withdrawn.

In addition, the one available reference relied upon by the Office Action, Stolfo, cannot be relied upon to render the pending claims obvious since, as noted in the Office Action, Stolfo does not teach or suggest each claimed element. That is, the applicants respectfully submit that the Office Action does not establish a *prima facie* case of obviousness in rejecting these claims. In order to establish a *prima facie* case of obviousness, the Office Action must establish: 1) some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or combine their teachings; 2) a reasonable expectation of success of such a modification or combination; and 3) a teaching or suggestion in the cited prior art of each claimed limitation. See MPEP § 706.02(j). However, the references do not teach or suggest each claimed limitation. Specifically, Stolfo does not teach or suggest receiving from a user of an integrated Identity System and Access System a request for the user to be a proxy for an administrator of the integrated Identity System and Access System. Furthermore, as noted in the Office Action on page 2 in the last paragraph, and as argued previously, Stolfo does not teach or suggest allowing the user to use the Identity System as the administrator based on credentials of the administrator

while allowing the user to use the Access System to access resources based credentials of the user but not the credentials of the administrator.

As discussed previously, Stolfo is directed to "transactions over a communications network between first and second parties . . . while securing private and personal information specific to the first party or the network device used by the first party with respect to the second party." (page 1, para. 1, lines 1-7) Under Stolfo, communications and/or transactions can be carried out between a user or first party, typically a consumer, and a second party, typically a merchant, over a communication network in which information is provided and/or a good is ordered while securing such information of the first party with respect to at least the second party. (page 4, para. 43) A user or first party may communicate over the network with a second party, using a proxy that anonymizing (i.e., making anonymous) the first party with regard to the second party. (page 4, para. 47) In other words, the proxy of Stolfo acts as a middleman that hides the identity of the first party from the second party. (page 16, para. 184 and para. 187)

Claim 1, upon which claims 2-18, 22, and 23 depend, is directed to a method for allowing proxies in an integrated Identity System and Access System. Claim 24, upon which claims 25-31 depend is directed to a processor storage device having code for programming a processor to perform a method. Claim 32, upon which claims 33-39 depend, is directed to an apparatus that allows for proxies in an integrated Identity System and Access System. Claims 1, 24, and 32 each recite in part "receiving from a user of the integrated Identity System and Access System a request for the user to be a proxy for an administrator of the integrated Identity System and Access System." Stolfo does not teach or suggest receiving a request from a user to be a proxy for an administrator of the integrated Identity System and Access System or any other system. Under Stolfo, a user may request the proxy system to act as a proxy for that user when interacting with the other/second party, i.e., to anonymize the first party with respect to the second party. That is, any request from the user under Stolfo would in effect be a request to "please be my proxy" or "please anonymize me." However, such a request, cannot be reasonably

seen as teaching a request for a user to be a proxy for an administrator, i.e., a request to "please let me act as the administrator."

Claims 1, 24, and 32 go on to recite in part "associating said user with one or more credentials of said administrator without authenticating said user as said administrator." Stolfo does not teach or suggest associating the user with one or more credentials of an administrator of an integrated Identity System and Access System or any other system either with or without authenticating the user as the administrator. The proxy of Stolfo associates the user/customer with an "identity" such as a "unique alphanumeric name that is supplied to the second party vendors" to identify the user to the second party. (para 47) However, this identifier, while providing anonymity to the user with respect to the second party, does not associate the user with one or more credentials of an administrator of the proxy, the second party's system, or any other system.

Claims 1, 24, and 32 further recite in part "allowing said user to use said Identity System as said administrator based on said one or more credentials of said administrator; and allowing said user to use said Access System to access resources based on one or more credentials of said user but not the one or more credentials of said administrator." Stolfo does not teach or suggest allowing the user to use an Identity System, or any other system, as an administrator, i.e., having the rights and privileges of the administrator within the Identity System, based on the one or more credentials of the administrator. Furthermore, Stolfo does not then allow the user to use an Access System to access resources based on one or more credentials of the user but not the one or more credentials of the administrator, i.e., to have only the rights and privileges of the user within the Access System. (See additionally Detailed Description page30, line 27 - page 31, line 5) Rather, Stolfo provides for anonymizing a first party with respect to a second party but does not allow the first party to use the proxy, second party's system, or any other system as an administrator. For at least these reasons, claims 1-18 and 22-39 are distinguishable from Stolfo and should be allowed.

Claim 40, upon which claims 42-44 depend are directed to a method for allowing proxies in an integrated Identity System and Access System. Claim 45, upon which claims 47-49 depend, is directed to a processor storage device having code for programming a processor to perform a method. Both claim 40 and 45 recite in part "receiving from an administrator of the integrated Identity System and Access System an indication that a user of the integrated Identity System and Access System can be a proxy for the administrator." Stolfo does not teach or suggest receiving from an administrator of an integrated Identity System and Access System, or any other system, an indication that a user can be a proxy for the administrator. That is, Stolfo does not teach or suggest an administrator of a system identifying a user or users that are authorized to act as proxy administrators. Rather, Stolfo provides for anonymizing a first party with respect to a second party but does not allow the first party to use the proxy, second party's system, or any other system as an administrator and does not disclose the administrator of such systems identifying a user that can be a proxy administrator.

Claims 40 and 45 further recite in part "receiving an indication from said user to become said proxy for said administrator." Stolfo makes no mention of an integrated Identity System and Access System. Furthermore, Stolfo does not teach or suggest receiving a request or indication from a user to be a proxy for an administrator of the integrated Identity System and Access System or any other system. As noted above, under Stolfo, a user may request the proxy to act as a proxy for that user when interacting with the other/second party. However, such a request, cannot be reasonably seen as teaching a request for a user to be a proxy for an administrator.

Claims 40 and 45 also recite in part "accessing an Identity System cookie for said user, wherein said Identity System cookie stores an identification of said user; storing an identification of said administrator in said Identity System cookie for said user; allowing said user to use said Identity System as said administrator based on said identification of said administrator in said Identity System cookie for said user; and allowing said user to use said Access System to access resources based on an Access System cookie for the user, wherein the

Access System cookie is separate from said Identification System cookie and the Access System cookie does not store an identification of said administrator." Stolfo does not teach or suggest allowing the user to use an Identity System, or any other system, as an administrator based on an identification of the administrator in an Identity System cookie or any other information. Rather, Stolfo provides for anonymizing a first party with respect to a second party but does not allow the first party to use the proxy, second party's system, or any other system as an administrator. For at least these reasons, claims 40, 42-45, and 47-49 are distinguishable from Stolfo and should be allowed.

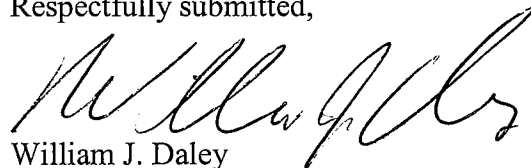
CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

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Respectfully submitted,



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